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UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

DAKOTA TRUCK UNDERWRITERS,
Plaintiff,
vs.
ANNETT HOLDINGS, INC.,
Defendants

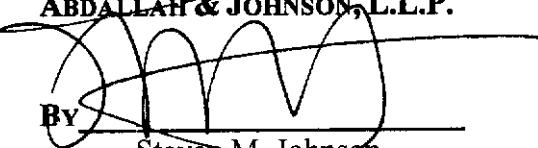
Civ. 06-4139

**STIPULATION FOR DISMISSAL OF
COUNTERCLAIM PURSUANT TO FED. R. CIV.
P. 41(a)(1) and (c)**

Plaintiff Dakota Truck Underwriters and Defendant Annett Holdings, Inc., by and through their undersigned counsel, hereby stipulate and agree that the Defendant's Counterclaim against the Plaintiff may be dismissed without prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(ii) and Fed. R. Civ. P. 41(c).

Dated this 29 day of November, 2007.

**JOHNSON, HEIDEPRIEM, JANKLOW,
ABDALLAH & JOHNSON, L.L.P.**


By _____

Steven M. Johnson

A. Russell Jankow

Shannon R. Falon

431 North Phillips Ave., Suite 400

Sioux Falls, SD 57104-5933

(605) 338-4304

~and~

Mark J. Herzberger AT0003559
MOYER & BERGMAN, P.L.C.
2720 1st Avenue N.E.
P. O. Box 1943

Cedar Rapids, IA 52406-1943
Telephone: 319-366-7331
Facsimile: 319-366-3668
E-mail: mherzberger@moyerbergman.com

Attorneys for Defendant

Dated this 20th day of November, 2007.

**DAVENPORT, EVANS, HURWITZ
& SMITH, LLP**

BY: Cheryl S.

Roberto A. Lange
Cheryle W. Gering
206 West 14th Street
P.O. Box 1030
Sioux Falls, SD 57101-1030

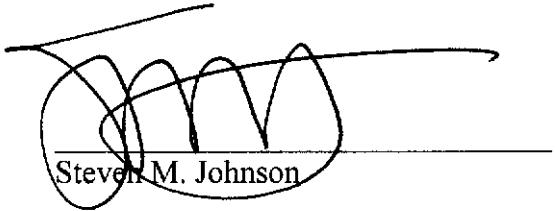
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Stipulation for Dismissal of Counterclaim Pursuant to Fed. R. Civ. P. 41(a)(1) and (c) of was served by electronic filing upon the following individuals:

Roberto A. Lange
Cheryle W. Gering
Davenport, Evans, Hurwitz & Smith, LLP
206 West 14th Street
P.O. Box 1030
Sioux Falls, SD 57101-1030

Dated this 20th day of November, 2007.


Steven M. Johnson